



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19.11.2019

Coram::

The Honourable Dr.Justice G.Jayachandran

W.P.No.29996 of 2019

K.K.Ramesh,
Advocate,
Madras High Court,
Chennai - 600 104.

Residence:

No.2, Agasthiyar Street,
Kamakodi Nagar (West),
Valasaravakkam,
Chennai - 600 087.

.... Petitioner

/versus/

1. The District Registrar,
Guindy, Chennai - 600 032.

2. The Sub Registrar,
Virugambakkam,
Chennai - 600 087.

3. B.Jeyachandran,
S/o.B.Balaji,
No.151, 1st Main Road,
Sri Lakshmi Nagar, Valasaravakkam,
Chennai - 600 087.

4. Mrs.J.Renuga,
W/o.B.Jeyachandran,
No.151, 1st Main Road,
Sri Lakshmi Nagar,
Valasaravakkam,
Chennai - 600 087.

5. Mrs.V.Tamil Selvi,
W/o.K.Vijayakumar,
New No.48, Old No.96,
Kothandaraman Swamy Koil Street,
West Mambalam, Chennai - 600 033.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the 1st respondent herein to cancel the fraudulent sale deed, based on the representation of the petitioner dated 04.09.2019.

For Petitioner : Mr.A.L.Namasivayam
For R1 & R2 : Mr.T.M.Pappiah,
Special Government Pleader

O R D E R

Heard the Learned Counsel for the Petitioner and the Learned Special Government Pleader for the Respondents 1 & 2.

2. The grievance of the petitioner is that, father of the petitioner purchased property on 24.02.1984 and got it registered as document No.516/1984 and have put permanent structure in the said property. It was exclusively in possession and enjoyment of his father till his death. His father executed a Will dated 26.11.1999 to bequeath the property in favour of the petitioner. Alleging that, fraudulently a sale deed has been registered by one B.Jeyachandran, through Power of Attorney in respect of his property, he has given a complaint to the 1st respondent to take action against the fraudulent registration. Since no action was taken so far, the present Writ Petition is filed seeking Mandamus to cancel the fraudulent sale deed executed by the 3rd respondent in favour of the 4th respondent and she in turn to the 5th respondent.

3. The Learned Special Government Pleader appearing for the respondents states that, the complaint of the petitioner herein is taken up for enquiry and after notice to the parties concerned, enquiry will be conducted and orders will be passed.

4. Taking note of the above submission, the Writ Petition is disposed of, directing the 1st respondent/District Registrar, Guindy, Chennai, to dispose of the complaint, after following due process of law and order shall be passed within a period of eight weeks, from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(insp cell)

//True Copy//

Sub Assistant Registrar

bsm

To,

1. The District Registrar, Guindy, Chennai - 600 032.

2. The Sub Registrar, Virugambakkam,
Chennai - 600 087.

+2ccs to Mr.A.L.Namasivayam , Advocate SR.No. 95937

+1 cc to Government Pleader Sr.No. 97049

W.P.No.29996 of 2019

A.SK(22/11/2019)